

Amendment No. 2 to SB4028

Harper  
Signature of Sponsor

**AMEND Senate Bill No. 4028\***

**House Bill No. 3958**

<b>FILED</b>
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

by deleting Section 25 in its entirety and by substituting instead the following language:

SECTION 25.

(a) As a pilot project:

(1) The department of correction shall contract with authorities approved pursuant to subsection (b) for a minimum number of state prisoners to be housed in jails owned or operated by such authorities. Such minimum number shall be fifty percent (50%) higher than the average number of state prisoners housed in jails of those counties which are participants in the authority over the previous five (5) years immediately preceding the date of such contract.

(2) As an incentive for an authority to provide additional programs to prisoners housed by the authority that generally would not otherwise have been provided had the prisoners been housed in jails operated by the individual counties prior to the counties becoming participants in the authority, the department shall reimburse authorities an additional daily reimbursement rate of up to fifteen dollars (\$15.00). Such reimbursement rate shall be in addition to the compensation paid by the commissioner of correction to counties to house convicted felons as provided in § 41-8-106 and shall be subject to the funds being appropriated by the general assembly in the general appropriations act. Further the reimbursement rate shall be approved by the select oversight committee on corrections and shall be based on the types of additional programs the authority provides to such prisoners as approved by the select oversight committee on corrections in accordance with subsection (b).

(b) Subject to subsection (c), any authority desiring to be considered for such additional compensation or incentive funds shall file a letter of intention with the Tennessee corrections

institute in such manner and containing such information deemed appropriate by the institute.

The application shall contain the programs the authority plans on providing for the prisoners to be housed in jails owned or operated by the authority. The Tennessee corrections institute together with the commissioner of correction shall evaluate each application and submit their evaluations of the applicants and the programs to be presented to the select oversight committee on corrections. Subject to subsection (c), the select oversight committee on corrections shall approve each contract and all programs to be offered by each authority, taking into consideration the recommendations of the institute and the commissioner of correction.

(c) No more than one (1) regional jail authorities shall be considered for the additional compensation or incentives created pursuant to subsection (a) without the further approval of the general assembly.

(d) The Tennessee corrections institute shall prepare and present an annual report to the select oversight committee on corrections, detailing with specificity the successes of and areas of improvement needed by those authorities participating in the pilot project, together with any recommendations for revisions to the enabling legislation related to operation of a regional jail authority participating in the pilot project and the programs provided by the authority.

(f) The Tennessee corrections institute is authorized to promulgate necessary rules and regulations in accordance with the uniform administrative procedures act, title 4, chapter 5, to implement such pilot project.

(g) The pilot project created pursuant to this section shall sunset on June 30, 2012.